

FIVE DOLLARS PER ANNUM.  
NEW SERIES, No. 17, Vol. 2.

True to his charge—he comes, the Herald of a noisy world; News from all nations, hounding at his back.

LEXINGTON, KY. THURSDAY MORNING APRIL 23, 1925

IN ADVANCE  
[Vol. XXXIX]BY AUTHORITY.  
[Public Acts]

AN ACT authorizing the Secretary of the Treasury to borrow a sum not exceeding twelve millions of dollars, or to exchange a stock of four and one-half per cent, for a certain stock bearing an interest of six per cent.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States, or he is hereby authorized to borrow, on or before the first day of January next, on the credit of the United States, a sum not exceeding twelve millions of dollars, at a rate of interest, payable quarterly, not exceeding four and one-half per centum per annum, six millions whereof to be repaid at the pleasure of the Government, at any time after the thirty-first day of December, in the year eighteen hundred and twenty-eight; and the balance of the sum, not exceeding six millions, to be repaid at any time after the thirty-first day of December, in the year eighteen hundred and twenty-nine, to be applied, in addition to the moneys which may be in the Treasury at the time of borrowing the same, to pay off and discharge such part of the six per cent, stock of the United States, of the year one thousand eight hundred and thirteen as may be redeemable after the first day of January next.

Sec. 2. And be it further enacted, That it shall be lawful for the Bank of the United States to lend the said sum, or any part thereof, and it is hereby further declared that it shall be deemed a good execution of the said power to borrow, for the Secretary of the Treasury, with the approval of the President of the United States, in case to be constituted certificates of stock, signed by the Register of the Treasury, or by a Commissioner of Loans for the whole or any part thereof, bearing an interest not exceeding four and one-half per centum per annum, transferable and redeemable as aforesaid, and to cause the said certificates to be sold, provided, That no stock be sold under par.

Sec. 3. And be it further enacted, That a subscription to the amount of twelve millions of dollars of the six per cent, stock of the year eighteen hundred and thirteen, be, and the same is hereby, proposed; for which purpose books shall be opened at the Treasury of the United States, and at the several loan offices, on the first day of April next, to continue open until the first day of October thereafter, for such parts of the above mentioned subscription, as shall, on the day of subscription, stand on the books of the Treasury, and on those of the several loan offices, respectively; which subscription shall be effected by a transfer of the United States, in the manner provided by law for such transfers, of the credit or credits standing on the said bonds, and by a surrender of the certificates of the stock so subscribed: Provided, That all subscription by transfer of stock shall be completed as part of the said twelve millions of dollars authorized to be borrowed by the first section of this act.

Sec. 4. And be it further enacted, That, for the whole or any part of any sum, which shall be thus subscribed, credits shall be entitled to a certificate or certificates, purporting that the United States owe to the holder or holders thereof, his, her, or their assigns, a sum to be expressed therein equal to the amount of the principal stock thus subscribed, bearing an interest not exceeding four and one-half per centum per annum, payable quarterly from the thirty-first day of December, one thousand eight hundred and twenty-five, transferable in the same manner as is provided by law for the transfer of the stock subscribed, and subject to redemption, at the pleasure of the United States, as follows, one-half at any time after the thirty-first day of December, one thousand eight hundred and twenty-six, and the remainder at any time after the thirty-first day of December, in the year one thousand eight hundred and twenty-eight: Provided, That no reimbursement shall be made, except for the whole amount of such new certificate, nor until after a reasonable time, public notice of such intent of reimbursement. And it shall be the duty of the Secretary of the Treasury to cause to be returned to the respective subscribers, the several sums by them subscribed beyond the amount of the certificate or certificates, and one-half per cent, stock issued to them respectively.

Sec. 5. And be it further enacted, That the same sums which have been so subscribed, and now are provided by law for the payment of the interest, and for the redemption of the principal, shall be paid out of the moneys of this act, shall remain pledged in the manner for the payment of the interest, as accruing on the stock created by reason of such subscription, and for the redemption or reimbursement of the principal of the same. And it shall be the duty of the Commissioners of the Sinking Fund, to cause to be applied and paid, out of the said fund, to make to be applied and paid, out of the said fund, year by year, such sum and sums as may be annually required to discharge the interest, accruing on the stock, which may be created by virtue of this act. The said Commissioners are also hereby authorized to apply, from time to time, such sum and sums out of the said fund, as they may think proper, towards redeeming, by purchase, or by reimbursement, in conformity with the provisions of this act, the principal of the said stock; and such part of the annual sum of ten millions of dollars vested by law in the said Commissioners, as may be necessary and required for the above purposes, shall be and continue appropriated to the payment of interest and redemption of the public debt, until the whole of the stock which may be created under the provisions of this act, shall have been redeemed or reimbursed.

Sec. 6. And be it further enacted, That nothing in this act shall be construed in any way to alter, abridge, or impair the right with the creditors of the United States who shall not be liable to the loan to be opened by virtue of this act.

Speaker of the House of Representatives  
JOHN GALLARD,  
President of the Senate, pro tempore.  
Washington, March 3, 1925: Approved  
JAMES A. MONROE.

AN ACT to authorize the Register or Enrollment and License to be issued in the name of the President or Secretary of any incorporated Company owning a steamboat or vessel.

Be it enacted by the Senate and House of Representatives

of the United States of America in Congress assembled, That enrollments and licenses for steamboats or vessels, owned by any incorporated company, may be issued in the name of the President or Secretary of such Company; and that such enrollments and licenses shall not be vacated or affected by a sale of any share or shares of any stockholder or stockholders, in such Company.

Sec. 2. And be it further enacted, That registers for steamboats or vessels, owned by any incorporated company, may be issued in the name of the President or Secretary of such Company; and that such registers shall not be vacated or affected by a sale of any share or shares of any stockholder or stockholders, in such Company.

Sec. 3. And be it further enacted, That, upon the death, removal, or resignation of the President or Secretary of any incorporated company, owning any steamboat or vessel, a new register, or enrollment and license, as the case may be, shall be taken out for such steamboat or vessel.

Sec. 4. And be it further enacted, That, previously to granting a register, or enrollment and license, for any steamboat or vessel owned by any Company, the President or Secretary of such Company, without designating the names of the persons composing such company, which name or names shall be deemed sufficient, without requiring the oath or affirmation of any other person interested or concerned in such steamboat or vessel.

Sec. 5. And be it further enacted, That before granting a register for any steamboat or vessel, so owned by any incorporated company, the President or Secretary thereof, shall swear or affirm, that, to the best of his knowledge and belief, no part of such steamboat or vessel has been, or is then owned by any foreigner or foreigners.

Approved: March 3, 1925.

## MURDER OF FRANCIS BAKER

WASHINGTON CITY, Feb. 23, 1925.

TO THE EDITOR OF THE WASHINGTON GAZETTE.  
SIR: A few weeks since you republished an extract from the speech of Mr. Robert Wickliffe, upon the bill to change the venue of Isaac B. Desha, of Kentucky. I send you a reply to Mr. W's speech, with a hope that you will publish it, and that the Richmond Enquirer, and such of the papers of Philadelphia, New York, &c. as published Mr. W's speech, will give it an insertion.

TO THE PEOPLE OF THE UNITED STATES.

Fellow-Citizens:—It seems that, in the official circles at Washington, the respect paid to many of the politicians of the states, and the eulogies bestowed upon them, are in exact proportion to their hostility to the state governments, and the contempt with which they are viewed at home. It is thus that the moral force of the national government is brought to act in concert with its consolidating tendencies. When the smiles of executive approbation from the palace at Washington light the enemy of state rights, who is struggling to overturn the just powers of the local governments, he is stimulated to more vigorous and more persevering exertions. Whatever may be his fate with the people of the state, he trusts with a well founded confidence, that the national authorities will not suffer him to go without his reward. When this is known to be the language and practice of the public agents at Washington, it behoves the people to remind them that the splendid government which they are called to administer was not established for the destruction of the states, but for their preservation; that the object most dear to the heart of every patriotic American statesman, should be the protection of the states against the absorbing tendency of the general government; and that neither the state governments, nor the men who administer them, are, with impunity, to be made the objects of groundless reproach among the national authorities.

These reflections have been excited by the eulogies which have been heaped, in official circles, upon a speech delivered in the Legislature of Kentucky, at their late session, by Robert Wickliffe, Esq. on the bill to change the venue in the case of Isaac B. Desha, son of the Governor, charged with the murder of Francis Baker. To me it is astonishing that there should not be, on the face of the production, sufficient evidence of cold blooded malignity to shield the legislative, judicial, and executive authorities of the State of Kentucky from the aspersions cast upon their integrity and their honor. But since malice passes for love of justice, and personal and political rancor for independent patriotism, I feel it my indispensable duty to strip the veil from the unfeeling calumniator, and show the nation what kind of a man receives the plaudits of these agents at Washington.

Without adverting to the great principles which divide Kentucky into violent parties, it is necessary to my object only to state, that Mr. Wickliffe and the Governor are active and leading men on different sides. Previous to the late election, all the powers of the former were exerted to prevent the election of the latter, and in the height of his furious zeal he declared that if General Desha were elected, "all the offices in the state would be filled with ragamuths." The success of the General by such an overwhelming majority, rather increased than abated the rancorous zeal with which he was assailed, and no means were overlooked by which Mr. Wickliffe and his infuriated partisans could reach the feelings or wound the reputation of a Chief Magistrate whom they detest.

A little previous to the late session of the Legislature, Isaac B. Desha, a son of the Governor, was apprehended on suspicion of having murdered and robbed Francis Baker, a citizen of Mississippi, who was passing through Kentucky on his way to New Jersey, his native state. There were many circumstances which left on the public mind in the neighborhood where the murder was committed, a strong impression of Desha's guilt. Instantly the Governor's personal and political enemies seized upon them with a cruel avidity, and for the purpose of assailing the reputation and wounding the feelings of an unhappy father, every where propagated tales of the certain guilt of his wretched son. While the General's enemies were thus employed and

public excitement raising high, the legislature met.

Before I proceed to detail the proceedings in that body, it is expedient to notice the substance of Mr. Wickliffe's weighty charges against the constituted authorities of his state. He finds fault with the petition for a change of venue, with the person by whom it was presented, with the manner in which it was referred, with the bill reported, as well by the select committee as the committee for courts of justice; with the Governor for attending the latter committee; with the amendments of the Senate; with the judge who, he supposed, was to preside at the trial; and the county in which the trial was to be had. He declares that it was "legislating the Governor's son out of the hands of the officers of justice on a charge of murder," that the bill was urged with a "precipitancy without example," that the prisoner was sent to be tried by the devoted friend of his father—a judge who had distinguished himself at the late gubernatorial elections and dinner toasts—a judge who stood as his excellency in seven trials, and will, as his excellency no doubt expects, not forsake him in the eighth; that the Governor and his friends expect "too old friend will get the better of the judge, and hence this change of venue"; that he "cannot believe his excellency was willing to use a false name of need"; that in Harrison county "the parade of a trial would be made, but the criminal acquitted," on account of his father's influence and popularity there; that the bill "gave Desha a safe deliverance"; that "God and his country would have but little to do in the business"; that the change of venue was only to give him a chance to escape; that it was made a party question by the Governor's friends; but that he was actuated, not by party feelings, but solely by a love of justice and the reputation of his state.

How perfectly groundless are all these assertions, charges, and prophecies, will be shown by a detail of facts and the result of the change of venue itself. Whatever may be the practice in other states, nothing is more common in Kentucky, as indeed Mr. Wickliffe acknowledges, than changes of venue in criminal cases. So tender is our government of the life of its citizens, that almost without exception, when a person charged with crime has petitioned the legislature, alleging that he could not have a fair trial in the county where the offense was committed, on account of the public excitement against him, his petition has been granted with an unanimity which has discouraged all opposition. It has not been admitted as possible, that a jury of any county would acquit a prisoner who was proved to be guilty; but it has been supposed possible, and even probable, that excessive excitement in the county, where a flagrant crime is committed, might lead, on imposing circumstances, to the conviction of innocent men. If, after a change of venue, many have been acquitted, the presumption is rather that they were innocent, than that the guilty have escaped; but in point of fact, the number of convictions, in such cases, has not in proportion, taken much short of that in trials had in the counties where the crimes were committed.

In Desha's case there was nothing peculiar, except that he was the son of the Governor. On the 23d of November, his petition, alleging that he could not have a fair trial in Kentucky, and the adjoining counties, on account of the excitement against him, and praying for a change of venue, was presented in the House of Representatives, by Mr. Rowan. On his own motion, says Mr. Wickliffe, it was referred to House and others. On Mr. Rowan's motion, it was referred to a select committee, of whom the speaker appointed Mr. Rowan chairman. Was there anything unusual in this? Is it not a common course in Legislative bodies? On the morning of the 24th, Mr. Rowan reported a bill, the provisions of which were copied from an act passed at a preceding session, on a similar subject, with the necessary alterations. Without any opposition from Mr. Wickliffe or others, it passed to a second reading, which was dispensed with, and on motion of Mr. Rowan, it was referred to the committee for courts of justice, of which Mr. Wickliffe was a member. Did this look like a disposition, on the part of Mr. Rowan, to pass such a bill as would insure the escape of Desha? He had drawn a bill, but the more effectually to ensure the ends of justice, he procures its reference to the judicial committee, that they may revise and perfect its provisions. The Committee met; suppose that the Governor, at the special invitation of one of its members, attended the meeting. Was it improper for him to do so? Was it the less his duty to see that his son had a fair trial, because he was Governor? Was he to forget all the ties of nature because he was Governor, and abandon a son, once beloved almost to idolatry, to partial triers and a fate which might be cruel and unjust? No. What ever may be his duty as Governor after the conviction of his son, it was no less his duty as a father because he was Governor, to see that he had a fair trial. Suppose he was asked to what county he wished the venue changed, and he answered, "any, so that he have a fair trial?"

Not being satisfied with the details of the bill, the committee determined on drafting a substitute, the principles of which were discussed and settled in the presence, and with the aid of Mr. Wickliffe. The task of drafting it, was assigned to Mr. Ben. Hardin, a cousin of Mr. Wickliffe, and a decided political enemy of the Governor. He performed that duty, and on the morning of the 26th, by order of the committee, he reported it to the House. No objection was made, either to its principles or details, and the rules being dispensed with, it was engrossed and passed. That Mr. Wickliffe heard nothing of it, is hardly credible wholly to his own indulgence, for he seldom made his appearance in the House in the morning until the committee had finished their reports. But was there no other honest man and inde-

pendent statesman in the House of Representatives, who had sagacity to discover and boldness to expose the nefarious provisions of this bill? Were Ben. Hardin and the whole minority, conspiring to legislate the Governor's son out of the hands of the officers of justice, and was Robert Wickliffe alone, the only independent lover of justice on that floor?

The bill was reported to the Senate on the day of its passage, and there taken up and passed to a second reading. The second reading was dispensed with, and on motion of Mr. Paulkner, a political enemy of the Governor, it was referred to the committee for courts of justice. On the 27th it was reported from that committee with amendments, which were adopted and the bill passed. It was sent back to the House with the Senate's amendments, which on the 29th, were taken up. This was the occasion on which Mr. Wickliffe came out with his celebrated speech. It was after the bill had been drawn by a select committee, revised by the committee for courts of justice and redrafted by a political enemy of the Governor on that committee; after it had been revised by the committee for courts of justice in the Senate and amended to the heart's content of the enemies of the Governor in that body; after it had passed both houses without so much as a call for the yeas and nays, and without the least conception, on the part of the members, that it was fraught with the direful consequences which Mr. Wickliffe depicts. Where were the friends of justice and the lovers of their state? Were they asleep upon their posts, and did they not see the impending danger, until aroused by the thunder of Wickliffe's maledictions?

Mr. Wickliffe's whole force was expended in an effort to induce the House to lay the bill on the table, as too irretrievably defective to human justice, but he could get only thirty-one out of 99 members to vote with him. His cousin, Ben. Hardin, a political enemy of the Governor, in an excellent speech, repelled his objections to the bill, and in a masterly manner defended the conduct of the chief magistrate and the course which had been pursued on this measure. Had he, like Mr. Wickliffe, taken the trouble to write out his remarks, the antidote would have gone with the poison and this development would have been unnecessary. The House, however, had no objection to any additional guards, and referred the amendments to a select committee, on which was at least, an equal number of the Governor's political enemies. On the first of Dec. they reported them back to the House, with further amendments, which were concurred in; and on the 4th, the act was approved by the Governor.

Was there any thing like unexampled haste in the progress of this bill? From its first appearance on the morning of the 24th November, to the 29th, when Mr. Wickliffe made his famous speech, was six days. From the former date to its approval by the Governor was ten days. By the constitution of Kentucky, a bill may pass and become a law in five days, without any dispensation of rules or any deviation from the regular routine of business. Indeed, on the last day of the session, a bill passed to change the venue in a case of murder, by a dispensation of the rules without the least opposition, and this was the 5th change of venue granted during the session, in addition to that of young Desha's. Where was Mr. Wickliffe, this independent statesman, then? Slumbering upon his post. His voice was not raised to denounce these acts to his insulted country. It was not the Gov's son whose petition was under discussion; there was no opportunity to inflict an untimely wound upon his political enemy, no party purpose was to be subserved by his vindictive opposition.

Would to Heaven the nation could see all the infamous publications which have followed this infamous speech. The suggestions of Mr. Wickliffe have been enlarged upon, and his connections repeated and redoubled. The Governor has been every where charged as the author of robbery and murder, and violent men have talked of his impeachment. Judge Trimble, the presiding Judge in Harrison county, whom Wickliffe says the Governor was willing to use, having since been elevated to the bench of the Court of Appeals, has been charged with stipulating for this advancement, with a promise to procure the acquittal of the Governor's son. The counsel employed all the friends of the young man, and all who dared to expose nefarious acts by which he was to be condemned to death, whether innocent or guilty, were denounced as the promoters of robbery and murder.

But this is not all. Judge Trimble, the Governor's friend, of whom Wickliffe speaks, declared sitting on the trial. Judge Roper, a political enemy of the Governor, and the Judge in the very county whence the venue had been changed, was applied to & consented to sit. Ben. Terhune, as I presume, at the denunciations thundered against every one who had any thing to do with this miserable young man, he shrunk from the dreadful responsibility & refused to act. Except Judges Shannon and Heiskoe, both friends of the Governor, there was not another circuit Judge, within more than seventy miles. The day of trial had arrived, and no other alternative remained but to procure one of them, and Judge Shannon consented to sit.

The vengeance which dictated Wickliffe's speech, extended through the ranks of his party. Not content with the provision made by the constitution and laws for the prosecution of criminals, they subscribed money to hunt up testimony and fee additional counsel to aid in the prosecution. They assembled in great numbers at the place of trial, and huddled the ears of the surrounding crowd with exaggerated tales of the circumstances which weighed against the prisoner, and endeavored to create an universal belief in his guilt. The sacred retreat of the jury room was not secure from the intrusion of malice and vengeance. A written paper found its way to the jury threatening that they should be hanged in

effigy, if they did not hang young Desha; and similar threats were peccled upon the walls of their room. Whether they were influenced by these threats I know not, but they returned a verdict of GUILTY.

You that have read Mr. Wickliffe's speech and calumnies it as the effusion of an honest and independent mind, now pause and reflect. He declared the bill was designed to give Desha a chance to escape. See him runved in safety to the jail of Harrison county and arraigned before God and his country! He charges Judge Trimble with being a "friend" whom the Governor was willing to use for the acquittal of his son.—Lo, Judge Trimble declines to sit upon the trial. He says the Governor's popularity and influence in Harrison county will secure his son's certain acquittal. Perchance a jury of that very county find him guilty of robbery and murder! What becomes of all the assertions and prophecies of this shameless calumniator of the legislative, judicial, and executive departments of his own government? They vanish like the morning mist before the glorious sun. But the polluted soul from whence they spring yet exists, still emits its pestiferous effluvia to contaminate Kentucky's fame, and kill all that is noble, honorable or honest, in the bosom of our brave sons.

But the tale is not yet told. The threats used to influence the jury, and proof of the fact that other persons were repeatedly in the jury room and the jurors repeatedly out of it, induced Judge Shannon, in obedience to his duty and his oath, to grant a new trial. What is the consequence? The vindictive, bloody spirit of Wickliffe's speech stalks abroad in its most terrific form. It is now proclaimed that Judge Trimble, as the price of his elevation to the Court of Appeals, procured Judge Shannon to sit on the trial for the sole purpose of rescuing Desha from the fangs of justice! So great is the fury excited in some quarters, by these denunciations of Judge Shannon, than whom a more honest & upright Judge never lived, that he has twice been burnt in effigy!

People of America, pause in your eulogies of Mr. Wickliffe's speech! Is this the way to secure the peaceable administration of justice? Is it by publishing to the world speeches filled with denunciations of the prisoner's guilt, and denunciations of the authorities of the country as bound together in a corrupt league to screen him from the merited vengeance of the law? Is it by threatening your juries with insults, outrages, and violence, if they do not hang the prisoner whom they have sworn to judge by the law and the evidence? Is it by denouncing and burning in effigy your judges, when they arrest the assassin's aim and leave the prisoner to be tried by an independent, unimpaired jury, according to the rights secured to him by the constitution and laws of his country? I know my countrymen better, than to believe they will applaud or justify such outrages, and I know that when they learn the facts, public indignation will recoil with the resistless power of a rolling ocean, upon the pariahs who have attempted to stab the integrity, and the honour of a state, of which he is a most unworthy citizen.

For what purpose is all this denunciation, threat, and violence, from the speech of Robert Wickliffe down to the burning of Judge Shannon in effigy? Humanity shudders at the avowal. It is to reach the office and the feelings of an unhappy father. By procuring the condemnation of his son, and placing his life in the hands of a father who holds the pardoning power, a furious party hopes to drive the Governor from the office which he holds, or if he shall pardon his son and hold his office, to shake the confidence in his office, and rise into power by charging him with abetting robbery, crime, and murder! Already threats of impeachment are heard against the Governor. Nothing short of his removal from office, can satiate the malice of Wickliffe and his partisans. They hate him intensely and dread his firmness. Any thing which can prompt his destruction, finds a justification in their political or moral code. It matters not to them whether young Desha be innocent or guilty. To reach his father's feelings and drive him from his office, they would press his conviction, although they know him to be innocent, as indeed, there are strong suspicions, that the circumstances which weigh so heavily against him, are all contrived for the purpose of accomplishing this base purpose, and that the conspirators find a justification for their diabolical machinations, in a belief that the wretched victim of their crimes will receive his father's pardon!

When a father holds in his hands the life of a son whom he has idolized, and dread the struggle of his feelings. Is there a good man who would wish a father placed in such a situation? I know General Desha well, his firmness and his indomitable. He will do nothing which can sanction or encourage robbery and crime, he feels too deeply the responsibility of the station which he holds, to sport with it lightly, or use it for the indulgence of improperly of parental affections. Kentucky may have occasion to blush for the bloody zeal with which the conviction of this young man is sought by infuriated political partisans; but not for the weakness of her chief magistrate. If her soil be frequently stained with blood, and assassination stalk forth in open day, the fault will not lie at his door; but rather at that of a blind faction, which in a furious struggle for power, asserts that the hands of society are dissolved, proclaims the country in a state of revolution, and is every where encouraging disobedience to the laws and contempt of the legislative power.

I shall give one recent example, to illustrate Mr. Wickliffe's love of truth and justice, in relation to Governor Desha, and then rest the defence of my beloved state on the justice of the American people. The whole nation remembers the burning of the capital of Kentucky, soon after the commencement of the



...a series of his best fire. In a late address to the people of his constituents, he thus speaks of Governor's conduct on that occasion.

"The fire commenced in the Capitol, and burnt slowly and generally to the ground, and strange to tell, although the Governor was on the ground, from the time the fire was first discovered, he permitted nearly the whole of the public arms, and a vast amount of books and other property to be burnt, without giving an order to remove them, or so much as advising the bystanders, that they were in the burning, and withstanding the fire did not reach that part of the building, in less than a half hour after the capital was known to be on fire."

The books were in the room on the third floor, the north corner of the building, directly in the rear of the Capitol, and it was not ten minutes after the alarm, before it was enveloped in flames. The arms were in a room on the east corner. The Governor's attention was drawn to securing the papers and property in the Secretary's office, which stands within a yard of the walls of the Capitol. But he was the first to think of the public arms. He called for the Quartermaster General, who had the key of the arsenal, but he was elsewhere employed. He then called upon the bystanders for assistance, broke open the door, and, aided by Thomas D. Campbell, of Campbell county, Eli Shortridge, of Montgomery county, Patrick H. Darby, of Tennessee, two or three other white persons and as many blacks, he succeeded in saving some hundred stands of the public arms. Nor did he desist from his perilous labor, until the fire burnt through the ceiling over his head, until the timbers of the falling roof were thundering down upon the yielding floor above, until the fragments tumbling from the eaves, rendered it hazardous to pass the outer door, until the owners of the negroes employed with him, ordered them away, and his own son laid his hand upon him, and begged with tears, that he should not again enter the flaming ruins.

And where was his calumniator, Robert Wickliffe? He was in his mantle, and looking on at the distance of fifty yards, with as much calmness and perhaps pleasure, as Nero viewed the flames of Rome, which his own hands had kindled. While he whom he slanders and abuses, was risking his life to save the public property, this independent statesman saw all sinking into the devouring element, without lifting a hand for his country. Indeed, his position was such, that it is doubtful whether he did not hear the Governor call on the bystanders for assistance; sure it is, that unless he was wholly absorbed in his own gloomy and heartless reflections, he must have seen the governor, with his own hands, drag out box after box of the public arms and deposit them in a place of safety. Whether he heard or saw the Governor or not, the assertions he has made are the entire fabrication of his own brain, contradicted by every report that ever circulated relative to the Governor's conduct, and are another specimen of Mr. Wickliffe's proneness to assert that which never was for the purpose of destroying an able, honest, and independent Chief Magistrate, whom he detests.

I have now unmasked the slanderer, who had received the plaudits of official circles at Washington, and exhibited the base motives by which he is actuated. The history of the country does not afford an instance of calumnies so groundless and so foul, pronounced by an American against the government, and the state which protects and cherishes him. Yet this man is calumniated at Washington! His unblushing calumnies and falsehoods are taken for bold independence and honest patriotism, and the Governor, legislature and judges of Kentucky, are denounced as dishonest and corrupt because Robert Wickliffe says so! God forgive the credulous ears which drink in such aspersions, and the ready tongues which pronounce the condemnation of Kentucky on such evidence? The world hates the bold traitor who openly abuses and renounces his country. What shall he say of him, who, under cover of a pretended love of justice, falsely charges his country before the face of strangers, with deep and dreadful corruption, with shaking hands with robbers and murderers, with conspiring the death of the traveller and the stranger? Will the world despise such a man, less than the open traitor?—Will it applaud a man for poisoning the friend that feeds him; with stabbing the bosom on which he lays his head.

I rest the defence of Kentucky with the American people. If I have written severely it is because I feel strongly. The reputation of my state is dear to me. She has too long been shrouded with impunity by some of her unworthy sons. The flood of indignation has long been rising in many a swelling bosom. This last stab at her integrity and honour, has caused it to overflow. I think you will not say that I have said more than the subject deserved.

#### KENTUCKY.

P. S. Since the above was written I have heard that Gen. William Reel, of Mason county, one of the witnesses in the case of Desha, a man without reproach or suspicion has been burnt in effigy at Maysville, because he dared to testify the truth on the trial. In Germantown, in the same county, the prisoner, Judge Shannon and the Governor have all been hung and shot in effigy, and would all have been burnt, had not an intrepid young man rescued the effigy of the Governor! Good God! Are these scenes which our eastern brethren are prepared to applaud, fitly publishing to the world speeches denouncing persons charged with crime as actually guilty, and accusing the authorities of the country with corruption, for the purpose of screening the already sentenced murderer from justice, by burning in effigy witnesses, judges and chief magistrates himself, that the laws of the country are to be impartially and independently administered? Is this the cause which receives the plaudits of national authorities?

I will add one other fact. The trial of Desha was expected to take place before Mr. Wickliffe's speech could be published. That prediction in many respects was lost a little above Cincinnati, where he picked up by a gentleman travelling to Columbia, where the trial was to be held, and carried to that place and there repeatedly read to public. The house and feeling were extremely degraded in order that it might

go to Harrison County, and put in possession of the people with Desha's guilt before his trial. But the trial was deferred, and then it was sent to Lexington, and ashered to the world.

#### TO THE PEOPLE OF THE FIFTH CONGRESSIONAL DISTRICT.

*Friend Citizens:*  
About to retire from the distinguished trust in which I was elevated by your free suffrages, generous confidence, I conceive it to be my duty on the occasion to tender you my grateful and affectionate acknowledgments. Circumstances, imperious in their nature, compelled me to decline a reelection, in opposition to the solicitations of my two party friends; but I trust they will do me the justice to believe, that while I persisted in the purpose of retiring, it was a strong necessity which compelled me. I am consoled by the reflection, that I have not incurred any imputation of shrinking from duty, at the same time that I know my place, in any circumstances, might be as effectively supplied.  
The situation of our government at home and in relation to the rest of the world, requires no more than the faithful devotion of its public agents to the conservation of our institutions, and the vigilance of the people in rendering the representative accountable to those by whom they were elected and on whose behalf they were chosen to act; and keeping a vigilant and liberal superintendence over all public agents. Our institutions, based upon the will and interests of the people, demand that the sovereign authority should be circumstantially acquainted with the true condition of the country, the measures which have been adopted in pursuance of the trust reposed in those who act for them; and a faithful account of their stewardship, if not freely given, should be firmly exacted. It is in compliance with my own sense of duty, that I now undertake to place before my immediate constituents a concise view of the public affairs, and of the prominent circumstances which I deem interesting to them.

Generally, at home we are peaceful and prosperous; in our relations with other nations the prospects are not only peaceful and propitious to the prosperity of our own country, but to that of the new nations which form the galaxy of Republics that characterize our new world.

Those new Republics are at length at peace, after an unexampled struggle for fifteen years, in which the sanguinary character of Spanish warfare was exhibited in the most brutal and remorseless forms; while the resistance has been signified by unshaken courage and constancy, and a self denial that has not been surpassed in any period of history or by any people. A battle fought at Junin, in the Andes of Peru, in August, followed by another fought at Guainamilla, within a few miles of Cayo, the ancient seat of the Incas, accomplished the total overthrow of Spanish power on the American continent.

The Republics of the New World may now be enumerated as they are established and recognized by the first Republic of the New World, and as they will very shortly be by the principal governments of Europe. They are, Ist. Mexico, or the United States of Mexico—2d. Guatemala, or the Central States of Mexico—3d. Colombia—4th. Peru—5th. Chili, and 6th. La Plata. Besides the signal blessings of freedom secured to the eighteen and a half millions which compose the population of these Republics, the benefits which they hold forth to millions yet unborn, contrasted with the gloomy bondage in which they grovelled under Spanish dominion, we have the further consolation to ourselves, that as we led the way, we find in them at once emulators in the cause of human rights, and friends who cherish the intimacy of our principles and interests.

It is not a light consideration, that in these new nations and their rich climates, there are resources for our commerce, and for the commerce of all other nations, so ample and so rich as to render us independent, if it were our desire, of all the commerce of the rest of the world.

Connected with this grateful subject, I must notice the arrival and reception of a man whose share in our revolution, and sufferings in the cause of freedom in Europe, render his name inseparable from the cause of liberty throughout the universe. You need not be told that the hero and benefactor of our revolution, GEN. LAFAYETTE, is meant; a name hallowed by every tongue, and whose character and name have united all hearts and hands in congratulating his arrival among us. Identified with the glory of our common country while yet a youth, and consecrated to the hearts of every lover of virtue and liberty, he has been received in a manner worthy of himself and of a free people. He who sacrificed his fortune and shed his blood in our revolution, was the victim of Revolution in Europe, and here he found souls to sympathize and gratitude to estimate him who was our friend in adversity; and I had the consolation of giving my vote for an acknowledgment from our country worthy of him, our cause and country. I cannot refrain from inviting you to consider the arrival, the reception and the character of this venerated man; united with the glorious events of South America, and the moral influence which they cannot fail to have upon our own country, but on the rulers of nations adverse to human rights and responsible governments.

This placed on the bank of the Republican hemisphere, our station, while it authorizes a just pride in the example we have given and the success with which it has operated, imposes on our country obligations which did not exist when we became a nation. The cause of mankind, the hopes of the world rested on us alone. Those who have followed in our steps rest now upon our example; and added to the justice and the obligation of maintaining a representative government pure and in progress to perfection; any act of infidelity to our institutions, and in violation of the rights of mankind, would tend to weaken the respect that we have earned, and to shake by a pernicious example, the glorious hopes and confidence of the world which we have inspired.

It is both gratifying and flattering to our institutions, that the beneficence of their nature continues to give new evidence of growing wisdom, the disappearance of prejudices, and respect for the happiness of the people. New sources of national wealth are opening at home as well as abroad, and the well known and universally acknowledged truth that we have, in half a century, accomplished more than any monarchy has done in 10 centuries—promises to be progressively and equally true before the first century of our existence expires. Our states daily approach each other; the wilderness and the mountains are about to disappear; and those who were the strangers of a three weeks or a three months' travel, are now, not only themselves, but their products destined to find a choice of a thousand markets at home where none were to be found before.

The state of our finances present a prospect not less cheering. Our revenue has been increased during the last three years, and the prospects presented to us are equally bright for the future; for, after defraying the necessary expenditure in support of the public administration, national defence and internal improvements, there will remain a large surplus to be applied to the discharge of the public debt, which by the estimates presented from the Financial Department will be accomplished in ten years.

The public debt in 1817, amounted to \$123,000,000, and notwithstanding the embarrassments and calamities produced by various causes within that period the debt is now reduced to about \$36,000,000. Some difficulties are yet to be overcome, but it is within the power of the government to apply simple and adequate remedies; and I anticipate from the progress of knowledge, and the experience of

our country, that the debt will be speedily and permanently reduced; and which cannot fail to be speedily realized, if the people are true to themselves and make their public agents responsible for the neglect, perversion or failure of their duty.

In the increased growth, perfection and abundance of domestic manufactures, it is pleasing to witness the effect, and mandatory force of public opinion over ancient errors, mistaken notions of public economy, the influence of foreign and local partial interests, and that internal improvements are preparing the way for the exchange of benefits, which the variety of climates, habits and wants, and the remoteness of a rational people require. The augmentation of the tariff of duties upon foreign productions at the last session of Congress, though short of the expectations of its advocates, has refuted the assumptions and prognostications of its adversaries, by giving activity to thousands of useful hands, who are amply employed; and the remarkable coincidence is presented to public interest, that the home consumption of the cotton of our own plantations is our own industry, and amounts to 150,000 bales; while the deficiency of cotton in the English market amounts to exactly the same number of bales; thereby not only adding to and preserving the triplication or quadruplication of our own commodity, by manufacturing it at home, but retaining in our own circulation the whole of its value, and at the same time raising the price abroad, consequences often predicted but scorned, now realized.

Among the measures of a provident policy, an appropriation of \$75,000 was made for the improvement of the navigation of the Ohio and Mississippi rivers; and a contract has been accordingly entered into which there is every reason to expect will conduce to the advantage of the whole western country.

The report of the Commissioners in reference to a national armory, to be located on the western waters, was submitted to Congress too late for the present session, but will demand an early attention at the next, when a decision is likely to be had on the most advantageous site. I have felt much anxiety on this subject and should have been gratified to have participated in the final decision. Two important measures have been adopted during the present session; one contemplates the immediate extension of the great national road through the state of Ohio; the other, the completion of the Canal, by which the waters of the Delaware and Chesapeake are to be united for the purposes of navigation. These kindred improvements successfully prosecuted, will so much facilitate the intercourse and commerce between the remotest points of our republic, that the union will be further strengthened and rendered as durable as the moral power of the people, and bid defiance to the ambition of the designing and the apprehension of external enmity. The march of improvement at home is itself evidence of the march of mind, and while the people maintain the power that belongs to them, and are not seduced to become their own betrayers, they have it always in their hands to exact obedience to their voice and respect for their wishes.

The reorganization of the supreme court of the United States, a measure of deep and vital interest to the states, and which grew out of the decision declaring our present laws unconstitutional, has been brought before Congress at this and the last session. It met with the profound and respectful attention due to its importance. So far as opinions were expressed it was conceded that the decision of the court was erroneous. I regret to say that the subject has not been accorded that prompt decision which was demanded by circumstances the most galling and important. When taken up at the last session, the plea of "too late in the session" was successfully urged; and the same reason has put it equally far in advance. I feel however, much consoled in the hope that it will finally prevail. The vest has not a due proportion of judges on the bench of the supreme court. They are entitled to such weight from every consideration of justice, of policy, of propriety and safety. It is said by many men of high repute that the supreme court are in some respects a political as well as Judicial body, and that they are to be considered the final arbiters of constitutional power. It is the fact, that such transcendent and I will say dangerous powers centre in the judiciary, is it not much more important, yes, indispensably necessary that the West should be fairly and equally represented in that tribunal by whose decision the powers of the state government are to be limited and controlled? Are the people to be told that the supreme court is the only tribunal, the only safe criterion, by which to test the constitutionality of laws? By what miracle do judges rise above the frailties or passions common to all other men? If they are so intellible and possess such transcendent power, they are politicians above the control of any power on earth, for impeachment is a scarce crime.

It is a doctrine of the most dangerous and destructive tendency to civil liberty. We read in a message to inform us that the love of power predominates and rules the mind of man in proportion as he is responsible or irresponsible. The post assigned to him changes not his nature. He is still the same aspirant for power and dominion. His ambition may be clothed in the pure crime of justice, yet when the occasion offers, you will discover masked ambition and passion seeking power and authority at all hazards. Listen to the warning voice of the Apostle of liberty, *Thos. Jefferson*.

"We already see the power installed for life, responsible to no authority (for impeachment is not even a scarce crime) advancing with a needless and steady step to the great object of consolidation. The foundations are already deeply laid by their decisions for the annihilation of constitutional state rights and the removal of every check, every counterpoise to the ingulfing power of which themselves are to make a sovereign part, &c." It is in vain, ye idle, for any one to admit that the people have the right to interpret their constitution, when in the next breath it is denied to them through the only constituted organ by which they express their opinions, viz: their Representatives. If the people were to collect together in their respective counties and express their opinions, such would, as they have done heretofore, pronounce them a mob. The people speak at the polls in a voice of thunder to those who would wrest from them their hard earned and sacred rights. If the representatives err, the people can, and do, at once act upon them at the polls. If the judges err, no voice is heard to whisper complaint, under the penalty of being denounced as a disorganizer. Freemen will not fear such denunciations. They will laugh them to scorn.

In deciding upon questions of private right, let the judge be as independent as he may be. But when he expounds the constitution, he touches the property of the people. He should advance with a becoming respect for that instrument and be held amenable for unconstitutional decisions. Nature and deliberate rebellion has convinced me that every department entrusted with the exercise of political power, should be directly and practically responsible at given periods to the people.

I now offer to your consideration a subject of much delicacy, and concerning which you will expect something in relation to my own conduct. The Presidential canvass was one of considerable moment, and excited much feeling and deep interest in various states of the Union.

The West had but two candidates and the only question with the people of the west seemed to be, which of the two should be preferred. Upon the return of the electoral votes from the different states it was ascertained that our favorite candidate did not obtain votes enough to bring him before the House of Representatives, which would have to select from the remaining candidates, viz: General Jackson, Mr. Adams & Mr. Crawford. In

this state of things I had but one course to pursue. I was perfectly aware that the freemen of Kentucky, and my district in particular were decidedly in favor of Gen. Jackson, in preference to Mr. Adams or Mr. Crawford. The strong indication given at the polls, could but lead to that result. That indication was still further confirmed by the request of both branches of the Legislature, making both parties at large in its support. A vote would have been enough to doubt its fact or to contradict it. With all these broad day light indications staring me in the face, had I felt otherwise inclined, I could not have hesitated in responding to your just expectations, by voting for General Jackson. I felt happy under the circumstances that my duty to you, corresponded with my personal predilections. Our first choice having failed, I did not think the claims of the West lessened in regard to having a President, whilst there was a man every way highly qualified and deserving for the station.

I could not mistake your attachment for that man who in the darkest period of the late war, was means most limited, but deriving power from his own mind, rescued his country from her misfortunes, and saved one of the first and most important cities of the republic from plunder and devastation.

When the watch word of "Booby and Beauty" was chanted from the lines of a powerful invading enemy, it was receded by the hero from the months of his artillery, hurrying upon the ranks of the savagely disposed invaders. Had these three competitors been brought along before the people, which of them would most likely have succeeded? The facts and circumstances lead my mind to but one result. The additional electoral votes of Kentucky, Ohio and Missouri, would have decided the contest in favor of Gen. Jackson. And with any rational mind told that he would have obtained these states! Impossible—he was decidedly the man of the people.

He had obtained more votes at the polls than his two competitors united. He obtained the electoral votes of eleven states, whilst his competitors united had only ten.

Had I felt disposed, I could not resist such a preponderance of public sentiment, nor overlooked the right which the people have to the choice. My feelings, my judgment, and every grateful remembrance of your former kindness would have risen up in indignant array against me, had I acted otherwise than I have done. As it is, I retire with a clear conscience, and feel happy in the reflection that I have not thwarted your will—I feel that I have acted in accordance with the fundamental principles of the free government under which we live; and the undoubted wishes of the majority of the American people.

I resign to you, Fellow Citizens, the trust committed to me for your use; that I may have sometimes erred, is not improbable; but I derive great satisfaction from the conviction that the purity of my motives cannot be justly assailed. And I shall bear with me in retirement the unalloyed satisfaction, arising from the belief that my public conduct has heretofore met your unequivocal approbation.

Accept then, Fellow Citizens, the kindest regards that one freeman can bear another.

J. T. JOHNSON

#### Communications.

##### LA FAYETTE TO THE PEOPLE.—No. 7.

"Few lies carry the inventor's mark; and the most prostitute enemy to truth may spread a thousand without being known for the author; besides, as the vilest writer has his readers, so the greatest liar has his believers; and it often happens that if a lie be believed only for an hour, it has done its work and there is no further occasion for it. Falsehood dies and truth comes limping after; so that when men come to be undeceived it is too late."

Political falsehoods are not infrequently propagated upon the opinion of the advantage indicated in the quotation from Dean Swift. But such attempts are usually made by persons who have no character to lose and who can venture to make such experiments to profit their party without hazard to themselves. Had Mr. Wickliffe's voluminous publication (which purports to be a speech, but which in fact was never spoken) sprung from such a source, there is no doubt but it might be fairly considered as belonging to the class of efforts here alluded to; but as he is allowed to be the leader of a party who have a monopoly of all the virtues—who have drawn to themselves all the honour, honesty and truth which has hitherto been scattered throughout society, without much regard to party distinctions, he cannot be considered as properly subject to such an imputation. I will not, therefore, make it, but shall take the liberty to prove that the production, which is called his speech is calculated to give its author the most unquestionable claims to all the merit which can arise from such services and to all the gratitude of his party, which so great a sacrifice of personal respectability, and of moral principle can deserve.

In the last number of this paper the debates in Congress, on the repeal of a part of the National Judiciary, 1820, were cited to show that the principle now contended for in support of the repealing act of the late Legislature, were maintained by the republicans of that time. Mr. Wickliffe's speech (if it must be so considered) has denied the facts stated in the last number of this article. Self defence, therefore, makes it necessary to display more fully the doctrines contended for in that memorable debate; and as Mr. Wickliffe has ventured to risk the fate of this great question upon the establishment of his facts, by the testimony of the individuals concerned in the debate, nothing can be easier than a decision upon the issue he has proposed. It is but to collate his own statements with their declarations. The result is left to the conclusions which shall be drawn by the people from the comparison.

Mr. Wickliffe's statement quoted verbatim from his speech.

"Now Sir, (said Mr. Wickliffe) I have the whole act, debate and all in my hand, to which the speaker, on both sides, of that question, admitted that as the supreme court was established by the constitution, that the office could not be repealed. I cannot (said Mr. Wickliffe) read all the remarks made by the illustrious statesmen who discussed that question, but I will write a few. (Here Mr. Wickliffe read so much of the speeches of Mr. Breckinridge, General Mason, General Jackson, Mr. Rutledge, Mr. Randolph, and others as related to the supreme court, in which they admitted, that as the supreme court is established by the constitution, Congress could not affect the office of the judges of that court by an act of Congress.)—Now Sir, (said Mr. Wickliffe) you see what reliance can be placed in what gentlemen say about precedents, but that the look was before me, the gentleman's statement might have passed as fact. I do not mean to impeach the gentleman's

conduct, but he has surely read badly, if he ever saw the debates on the question before Congress, and if he spoke from the information of others (as I presume he did) he was woefully deceived. Take the book (said Mr. Wickliffe) and read for yourselves and if you find out one of the speeches made on the bill before Congress, one word that asserts the station of the supreme court, say Sir, if every thing said and done on that memorable occasion does not refute him, I will give the contrary. I pay you to attend to the strong and pathy remarks of Mr. Randolph. Please, if the act is only intended to establish a court established, but by the constitution, and by Congress—Was it an act? said Mr. Wickliffe—No, it was not an act, it was a place by another, I admit that it would be an infamous evasion of the constitution."

#### CONTRAST THE SUPREME OR

Mr. Breckinridge, who introduced the measure of repeal in the Senate of the United States to the establishment of the Judiciary, he says—

2nd. As to the judges.—The Judiciary department is so constructed as to be sufficiently secured against the improper influence of either Executive or Legislative departments. The courts are organized and established by the Legislature and the Executive creates the Judges.

Mr. Breckinridge as to the power of Congress to repeal the Judiciary act, declares—

"The gentleman from Massachusetts takes different ground and denies the power of Congress to repeal the law; and the gentleman from Connecticut says that the original law establishing the Judiciary was but an experiment; and that experience was the only sure test of all human contrivances."

Now for the consistency of gentlemen. Some contend that the law was well matured and ought not to be dispensed with, Others, that we cannot repeal it at all, whether matured or not matured; and others that it is a part of a system of experiment. If Sir, the first law was an experiment, this law is, of course, an experiment upon an experiment. Now for the reasoning of the gentleman from Connecticut. "Experience is the only sure test of all regulations," therefore you may make an experiment, and even an experiment upon an experiment, but yet these experiments are unreliable. This is really an original notion about experiments; that you may try them to see if they will answer, but whether they do or not, they are fastened on you."

The honorable gentleman from Georgia could not, after two explanations, atone to the gentleman from Connecticut for an inadvertent expression, dropped by him in the warmth of argument, which carried an intimation that this law was made in a passion. Let the gentleman from Connecticut, therefore, have it as he stated it, that the law passed with great coolness and deliberation; if gentlemen then supposed it was to be an irrevocable experiment and to be entitled on their country, I will say it was a wiser experiment. I will say more: it was an experiment which, instead of being justified by a shadow of necessity, was created by the existing state of things when it was made; and it was an experiment never made upon earth before to try how courts and judges would answer without business. The absurdity moreover, with respect to this strange doctrine of irrevocable experiments, is increased, because some gentlemen admit that you may modify and change the law, but not so as to effect the Judges. I understand them, then, on that point to mean, that you may modify and change the law as you please provided you increase the number of Judges or the expense of the system; but that you violate the constitution if you diminish the number of Judges, or attempt to economise the system; or in other words, it is constitutional to abolish any part or all of the system, but what relates to the salary part of it, which in plain English would be "do what you please gentlemen, with our system; but spare, spare those for whom the system was made, the Judges."

Mr. Giles, who was the principal advocate of the measure in the House of Representatives, as to the establishment of the Supreme and inferior Courts, thus expresses the opinion of the party with whom he stood committed.

"A third department, to wit, the Judiciary department, is still wanting. Is that formed by the constitution? How is that to be formed? It is not formed by the constitution. It is only declared that there shall be such a department; and it is directed to be formed by the other two departments, who owe a responsibility to the people. Here there arises an important difference of opinion between the different sides of this House. It is contended on one side, that the Judiciary department is formed by the constitution itself. It is contended on the other side that the constitution does more than to declare that there shall be a Judiciary department and directs that it shall be formed by the other two departments, under certain modifications. Art. 3, Sec. 1. The constitution has these words: 'The Judicial power of the United States shall be vested in one Supreme Court and in such other inferior courts as Congress may from time to time ordain and establish.' Here then the power to ordain and establish inferior courts is given to Congress in the most unqualified terms, and also to ordain and establish 'one Supreme Court.'"

Mr. Giles, as to the power to repeal the Judiciary system, thus argues:

"The reason for this variation of expression is obvious. It was known that the office might be discontinued and the judge continue to behave well; the limitation was therefore applied to the office and not the good behaviour because if the office should be discontinued, which is clearly implied in this expression, it was not the intention of the Constitution that the compensation should be received, no service in that event being to be rendered. From this interpretation of the constitution all the departments are preserved in the due exercise of their respective functions for the general good without any of the mischievous and absurd consequences resulting from the opposite construction. It is admitted that the first part of this section expressly vests Congress with the general power to ordain and establish courts; and if there had been no other restriction, the consequent power to ordain or abolish. The restriction relied upon is not a restriction in express words; there are no words in the constitution prohibiting Congress from repealing a law for organizing courts; the restraint contained in, therefore, is by implication and that implication, to say the least, not expressly connected with any legislative attribute. Is it right in a correct interpretation that when a power



...you in express words for the most important purposes, that it should be restrained or prohibited by legislation? Can so much inattention and neglect be attributed to the framers of the Constitution? ...

...served this power to themselves by declaring that it should be exercised by persons freely chosen for a limited period, to represent them in the National Legislature. On what ground is it denied to them in the present instance? ...

**THE KENTUCKY GAZETTE.**  
THURSDAY, APRIL 26, 1825.  
TERMS: THREE DOLLARS (CURRENCY) PAYABLE IN ADVANCE.  
EDITED BY JOHN BRADFORD.  
TO THE PUBLIC.  
The subscriber having transferred his interest in the Kentucky Gazette, to John Bradford Esq. takes this opportunity of returning his thanks to those who have so liberally patronized the establishment whilst under his control. ...

**UMBRELLA MANUFACTORY.**  
Mrs. MARSH.  
RETURNS her thanks to her friends for the encouragement hitherto given her, and informs them that she still continues to make and repair Umbrellas. ...

**NOTICE.**  
THE DEBTORS to the Bank of Kentucky, whose debts originated at the late Lexington Branch Bank, are notified that their notes fall due on the 17th of May next, and that the Agent for the 1st Banking District, may be expected at Lexington on Tuesday and Wednesday the 17th and 18th May, for the purpose of receiving notes for renewal, calls and discounts—notes for renewal filed for the proper amount with a memorandum of the amount to be paid, may be obtained upon application at the Branch Bank of the Commonwealth.  
THOMAS P. DUDLEY, Agent.  
April 23—17-21.

**\$50 REWARD.**  
RANAWAY from the subscriber on the 4th of April, a negro man named BEN, about 27 years old, tall slim made, with a scar over his left eye; another on his cheek, went lame on account of his little toe being very sore, and his foot swelled; talks a little broken, very fond of liquor, had on a gray jacket short coat, an old light drab saratoga coat and two pair of ragged overalls. He rode off a bay horse, ten years old, about 14 hands high, a natural trotter, shod before, a star in his forehead, roach main and bob tail, with some saddle and collar marks. ...



